



Appeal Decision

Site visit made on 30 November 2021

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/P4605/W/21/3281665

203 Boldmere Road, Sutton Coldfield B73 5UJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Billingham against the decision of Birmingham City Council.
 - The application Ref 2021/00488/PA, dated 20 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is change of use of an ancillary residential outbuilding to a new dwelling and associated works.
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Decision

1. The appeal is dismissed.

Procedural matter

2. At the time of my site visit it was apparent that the internal layout of the existing building did not reflect that shown on the layout plan associated with the Certificate of Lawfulness (ref 2020/0394/PA). Plumbing and sanitary ware had also been installed.

Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

Reasons

4. The starting point for this appeal is the Certificate of Lawfulness referenced above which gives consent for an outbuilding within the grounds of the appeal property to be used as a games room and garage.
5. The outbuilding is in an area where the pattern of residential development is one of two-storey frontage properties within long, narrow and generously sized plots. The new dwelling would be single storey, on a small plot relative to the size of the house and with a garden extending to the side rather than the rear. The development would also create an unacceptably small plot for No 203 in comparison with its counterparts. The development would also sit uncomfortably within an important visual gap in the street, between the uniform layout of the houses fronting Boldmere Road and those fronting Beacon Road. Overall, therefore, the development would appear unduly cramped and incongruous.
6. The development may comply with space standards but the cramped nature of the development relates to the relationship of the size of the building with its

plot and the relationship of this to the urban pattern of the area. Compared with other residential properties in the area, the proposed development would appear cramped and unduly conspicuous.

7. I recognise that there is already a building on the site and that the application seeks permission for a change of use with limited external alterations. However, the change of use would materially alter the building's presence in the street, owing to the property's separation from No 203 Boldmere Road, the comings and goings at the site which would be independent from those at No 203 and the use of the building as a dwelling. Therefore, whilst limited external alterations would be made to the building and despite the residential use of the building being compatible with surrounding properties, its appearance as a single storey house, on a small plot, and separate from and behind No 203 would be harmful to the character and appearance of the area.
8. The proposal to landscape the front of the site and give the building a high-quality finish would enhance the visual appearance of the appeal site and improve the visual quality of the street overall. However, this would not overcome the concerns relating to the form, size and layout of the dwelling.
9. My attention is drawn to a bungalow at the eastern end of Beacon Road and at the junction with Western Road. I am not aware that the bungalow was built within the grounds of an existing property to be compared fairly with the appeal proposal. There is also a transition of building heights between the bungalow and nearby properties which is not the same for the appeal site; by comparison, the scale of the proposed dwelling would contrast awkwardly with the two-storey height of surrounding properties. The existing bungalow is also a long way from the appeal site and therefore is not appreciated in the same context to be considered a book-end to Beacon Road. I have been provided with examples of side gardens in the area. However, these are on corner plots which is not the same for the appeal site. All in all, the case studies presented, for the reasons given, do not set a precedent in favour of the appeal.
10. And so, for the reasons given, the development would be harmful to the character and appearance of the area and therefore contrary to policies PG3 and TP27 of the Birmingham Development Plan (2017) and saved paragraph 3.14D of the Birmingham Unitary Development Plan (2005) which, amongst other things, seek development that reinforces or creates a positive sense of place and responds to local context.

Other Matters

11. Whilst the principle of residential development on the site would appear acceptable given the surrounding residential uses, I have no evidence of a shortage of bungalows which the development would help address. Together with the development being for one dwelling, the benefit of the proposal to local housing supply is limited.
12. The development may not conflict with other development plan policies. However, this does not compensate for the conflict found with those policies identified above.

Conclusion

13. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination,

that outweigh the identified harm and associated development plan conflict.
For the above reasons, the appeal is dismissed.

R Walmsley

INSPECTOR